

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JANE DOE,

Plaintiff,

v.

DAVID BAUM et al.,

Defendants.

Case No. 21-12492

Honorable Shalina D. Kumar

Magistrate Judge Elizabeth A. Stafford

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**ORDER FOR SUPPLEMENTAL BRIEFING**

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Plaintiff Jane Doe, in her second amended complaint, brings Title IX claims against the University of Michigan and individual defendants Baum, Seney, Gyetko, and Owyang, and state law negligence claims against individual defendants Baum and Seney. ECF No. 20. Defendants moved to dismiss all claims, Doe responded, and defendants replied. ECF Nos. 22, 25, 26. The Court set this motion for hearing. ECF No. 27. Defendants then filed a notice of supplemental authority (which was incorrectly docketed as a supplemental brief), bringing to the Court's attention two recently decided Sixth Circuit cases, *Arocho v. Ohio Univ.*, 2022 WL 819734 (6th Cir. Mar. 18, 2022) and *Snyder-Hill v. Ohio State Univ.*, 48 F.4th 686 (6th Cir. 2022). ECF No. 31. Because either of these cases could be determinative of Doe's Title

IX claims, the Court requires supplemental briefing from both parties on these two cases before it considers defendants' motion to dismiss.

Accordingly,

**IT IS ORDERED** that both parties must submit supplemental briefing on the two Sixth Circuit cases within forty-five days of the entry of this order.

Dated: November 17, 2022

s/Shalina D. Kumar  
SHALINA D. KUMAR  
United States District Judge